

To: Steven Witzel, Standy By Counsel, Clerk of Courts

New York, NY 10007

From: Brandon Green 5640054, Defendant Pro Se

Re: United States v. Green, No. 1:16-cr-00281

May 12, 2021

MR. GREEN'S EMAILS/LETTERS SENT TO MR. WITZEL
AND THE COURT OF CLERK TO MEMORLIZE HIS ISSUES

Dear Mr. Witzel,

Good afternoon. Before I begin, I want to ask you not to take what I am about to say personal or disrespectful. As, it relates to requesting that you subpoena, among other things, the MDC Brooklyn's video footage, I am not asking you to do this, I am telling you that I want this done, so with that being said upon you receiving this email, I am demanding that you request/subpoena the following information below;

1. Mr. Green is requesting that you subpoena the "nice camera" footage from MDC Brooklyn regarding the July 10, 2020 incident;ⁱ

2. Mr. Green is requesting that you subpoena Mr. Walker's detailed incident report regarding the July 10, 2020 incident report;

3. Mr. Green is requesting that you subpoena his MDC Brooklyn's medical reports pertaining to this July 10, 2020 incident;

4. Mr. Green is requesting that you subpoena his "outside hospital" reports regarding this July 10, 2020 incident;

5. Mr. Green is requesting that you subpoena the S.I.S investigation report(s) of any and ALL notes generated in occurrence with the July 10, 2020 incident, including but not limited to ALL of the staff and/or the inmates inside of unit G-43 that made any statements regarding the July 10, 2020 incident;

6. Mr. Green is requesting you subpoena S.I.S report(s) regarding the alleged recovery of this alleged weapon, and, where this alleged weapon was recovered at and/or from, ON July 10, 2020;

Mr. Green is requesting this information for his upcoming illegal sentencing, by an partial/bias District Court Judge, Judge Gardephe; this information will help support Mr. Green's contention that the government has and is still acting malicious/vindictive with reckless disregard for Mr. Green's Constitutional, Civil and basic Human rights, during every part of these proceedings. This last attempt made by the government to withhold crucial information regarding the July 10, 2020 incident, is there only hope to hide/shade the truth, so such would portray Mr. Green as a violent person, and, paint him in a very bad light to the court(s), when EVERYONE here know that's far from the truth; subpoenaing this video footage from MDC Brooklyn and, obtaining other similar related information will help prove this. The footage from MDC's "nice camera" video on July 10, 2020 will show and prove the following; (1) that Mr. Green never slashed anyone on July 10, 2020, nor at any other time did he slash anyone; and (2) that at no time did Mr. Green possess any weapon of any sort, and/or did he ever try to dispose of any weapon; (3) not one time shown in this July 10, 2020 video footage will you see Mr. Green being insolent towards staff member(s); (4) review of the nice camera footage will show that Mr. Green acted in self-defense, while two inmates were assaulting him with sticks; and (5) the outside hospital reports and MDC medical reports will show that Mr. Green suffered from multiple injuries, including over a 10 inch gash over his left arm; (6) the government purposely failed to attach inmate Mr. Walker's July 10, 2020 incident report, which was referred to the F.B.I for outside prosecution. Mr. Green's incident

report was not referred to the F.B.I, and, the institution labeled him as the "non aggressor" in this incident.

The Government has repeatedly left out/withheld details and/or valuable evidence throughout the case against Mr. Green and this has and continues to be their tactics to deprive Mr. Green of his rights. ¹It should also come as no surprise that upon this email, Mr. Green has still yet to review all the 3500 material in this case, even after his trial is now over and he is awaiting sentencing. The Government has waited nearly a year to address their alleged allegations pertaining to this July 10, 2020 incident, and, even after a year one would think the government would have provided all of the details/information regarding this alleged incident, so that Mr. Green is afforded a fair opportunity to be heard, and show with all of the surrounding facts/information from this incident, why the prosecutions allegations could not be possibly true. That is why it should come to no surprise to everyone here, that the government purposely failed to turn over mitigating evidence/information gathered from the July 2020 incident, and, the District Court has allowed the Government to get away with far too many malicious acts unchecked. The Government is desperate, and this is another example of their crafty last-minute tactics used to prevent Mr. Green from obtaining the proper documents to refute the governments allegation here that he is a violent person and a danger to the community; When the government knows this is far from the truth; infact the government was the one who committed perjury at the grand jury, to make it appear that Mr. Green engaged in a violent act(s); what the government did in those proceedings was to try and "frame" Mr. Green and Michael Evans for this alleged RICO agreement; a fabricated murder; the prosecution "suborned perjury" from CW Adams to assist them with this lie; a made-up plot to kill David "Showtime" Cherry; which, Mr. Green was later acquitted of, along with every/all other alleged violent acts by the jury at his trial². Therefore, Mr. Green does not pose any danger to the community (the government did not prove this), Moreover, he should be immediately released on bail pending the outcome of this fabricated case.

The extent the Government has gone and continues to go to wrongfully charge, convict Mr. Green here, an African American United States citizen; a blatant disregard to the oath that these pointed officials have sworn to uphold the Constitution and to serve and protect its people. This is far from what went on here and or was allowed to go down here.

¹ Upon speaking with Mr. Witzel, Mr. Green asserts that cooperating Manuel Rosario has been charged with new criminal conduct. If this is true, Mr. Green submits that the Government has Brady/Giglio obligations to provide any details and information pertaining to any such new criminal conduct, given the significant role that cooperator testimony plays with respect to Mr. Green's case.

² An email between David Cherry and his lawyer dated 4/28/21 confirms Mr. Green's contentions that the investigators Stefano Steve Barcini and the Government went to the grand jury and committed perjury. Therefore, this further supports Mr. Green's request for all the grand jury proceedings to be unredacted.

At this point, I continue to be slandered in reputation, affecting my image in front of the Court through the time of sentencing. I need you to be responsible for me and retrieve the information discussed, supra, and allow me the opportunity to defend myself with the proper evidence (that is all the evidence). I PRAY the Court of Clerk will issue a subpoena in this matter, so I am afforded the right to a fair proceeding(s). Justice should have it no other way. I will be sending this email to the Courts to memorialize this request.³

Respectfully,

Brandon Green 56400054, Defendant, Pro Se

¹ Mr. Green is/was labeled a "high risk" inmate for contracting this deadly virus, COVID 19. For nearly 1 (one) year, Mr. Green was the head orderly/kitchen orderly in the MDC (Metropolitan Detention Center) Brooklyn's G-41 quarantine unit; Regardless of his health issues, the institution still allowed Mr. Green to be placed under the most harsh conditions one could ever imagine; in the most "high risk" environment inside the entire facility. See EXHIBIT Vv; a letter of recommendation from Counsel Vega, the same counsel on the 4th floor where the government is alleging the slashing took place.

³ Please note that this letter is being documented with this Court solely for the purposes of memorializing such for later appeals and or post-conviction and or other judicial and or quasi-judicial proceedings. Specifically, he asks that the District Court Judge, the Honorable District Court Judge Paul G. Gardephe (hereafter the "Judge"), not take any action whatsoever on this document. Moreover, because Mr. Green has an Affidavit and Motion to Recuse (hereafter the "Recusal Pleadings") pending before the Judge, he does not want the Judge to construe this letter in any way as asking for any type of relief from this Court, as doing so would be contrary to the position taken in his Recusal Pleadings (i.e. the Judge is partial)--and he does not want that to happen. Furthermore, in the event that Mr. Green later needs to move for any type of relief from this District Court regarding this letter and moreover the issues contained herein, then he will then do so after a different judge has been assigned to hear these proceedings following the Judge's recusal.

Brandon Green 50460054
Moe Brooklyn
Metropolitan Detention Center
Box 324002
Brooklyn NY 11232

Lim. Det JKR

RECEIVED
WESTINGHOUSE

500 Pearl Street
New York, NY 10007

RECEIVED
2021 MAY 13 PM 2:19
CLERK'S OFFICE
S.D.N.Y.



THE HIPHOP
CRAFTY ART